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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/745,385	12/21/2000	Firdosh K. Bhesania	MS1-705US	1121

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EXAMINER	
SAX, STEVEN PAUL	

ART UNIT	PAPER NUMBER
2174	5

DATE MAILED: 02/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/745,385	Applicant(s) Bhesania
	Examiner Steve Sax	Art Unit 2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *10/30/03*.

2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-37* is/are pending in the application.

4a) Of the above, claim(s) *35-37* is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-34* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
4) ☐ Interview Summary (PTO-413) Paper No(s). _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

1. Applicant's election with traverse of claims 1-34 in Paper No. 4 is acknowledged. The traversal is on the ground(s) that the subject of both inventions are sufficiently related such that both searches of clas/subclasses indicated would most likely be necessary. This is not found persuasive because invention I is drawn to the user interface and its relation to the firmware, whereas invention II is drawn to the medium for providing a data structure for field. The classes are very different, and the subject matter, though possibly overlapping in some aspects for the broadest search possible, nevertheless would require very separate additional searching in areas disparate from each other.

The requirement is still deemed proper and is therefore made FINAL.

2. This application contains claims 35-37 drawn to an invention nonelected with traverse in Paper No. 4 . A complete reply to the final rejection must include cancelation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made

to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bayramoglu et al (6289466) and Foster (6211870).

5. Regarding claim 1, Bayramoglu et al show providing user display information corresponding to a USB device into firmware on the USB device (column 3 lines 17-22 and 30-35 and especially 64-67, column 5 lines 3-25, column 6 lines 40-55), and responsive to receiving a host specific device request, communicates the user display information to the requestor (column 9 lines 30-45, column 10 lines 15-26). Bayramoglu et al do show user interface information (column 12 lines 10-24), but do not specifically show that the user interface details are communicated in response to the host specific device request. They deal with the user display and monitor characteristics, for user flexibility in controlling the display. Furthermore, Foster shows that in resonse to receiving a host specific device request, that user information details are communicated to a requestor, for user flexibility in controlling the display (Figures 9, 10, column 7 lines 40-60). It would have been obvious to a person with ordinary skill in the art, to include in the user display information in Bayramoglu et al, user interface information as well, because it would allow user flexibility in controlling the display.

6. Regarding claim 2, Bayramoglu et al show the custom propert section with entries corresponding to properties for the USB device (Figure 6 Bayramoglu et al).

7. Regarding claim 3, in addition to what is mentioned regarding claim 2, note that Figure 6 shows an indication of the number of property entries for which mappings exist in the custom properties section (the left entry shows the number of mappings for each entry by scrolling to get the maximum number). Alternatively, the user interface information communicated to the requestor in Foster (and rendered obvious per paragraph 4 of this Office Action) includes a finite list of mappings which thus indicates the number (Foster column 8 lines 30-40).

8. Regarding claim 4, the user interface information communicated to the requestor in Foster (and rendered obvious per paragraph 4 of this Office Action) includes icons and labels (Foster column 10 lines 50-65). Only one of the list in claim 4 need be shown to reject the claim, as it is stated in alternative form.

9. Regarding claim 5, the user interface information communicated to the requestor in Foster (and rendered obvious per paragraph 4 of this Office Action) is in a data format specified by an operating system (Foster column 4 lines 54-59).

10. Regarding claim 6, in addition to the aforementioned, the user interface information communicated to the requestor in Foster in an extended propert descriptor (and rendered obvious per paragraph 4 of this Office Action) displays a set of user interface elements (Foster Figure 10).

11. Claims 7-11 show the same features as above and are rejected for the same reasons.

12. Regarding claim 12, in addition to the aforementioned, Bayramoglu et al show USB request codes including devide requests to get or obtain descriptors (column 11 lines 37-65, column 12 lines 44-65 all show examples of these).

13. Claims 13-15 show the same features as above and are rejected for the same reasons.

14. Regarding claim 16, in addition to the aforementioned, Bayramoglu et al do not show a non-standard USB request and then receiving an extended property descriptor for the user interface information. However, the obviousness for receiving extended properties (and their corresponding descriptors) to include user interface specific information is shown in paragraph 4 of this Office Action, using Foster. Furthermore, given that this is extra or extended to what is shown in Bayramoglu et al, the examiner takes Official Notice that a non-standard USB request would be used, in order to provide flexibility to receiving extended properties.

15. Claims 17-34 show the same features as above and are rejected for the same reasons.

16. Applicant's arguments filed have been fully considered but they are not persuasive. The description of the references is noted. Bayramoglu shows the firmware; Foster is brought merely to demonstrate the obviousness of communicating the user interface information to the requestor. Thus the combination does in fact show the recited features. The commands in fact to relate user interface information. Bayramoglu shows the customizable properties; applicant's discussion of the applet does not render this incorrect. The section has a header. The icon is certainly selected. Applicant repeats the same argument which was used for claim 1 and has been answered here. The extended properties, in view of the broadness of the claim, are shown. Note that the claims are broad, and specific notation does not narrow the scope much, as it would be obvious to use such notation. Applicant is invitied to contact Examiner at 703-305-9582 to discuss claim interpretation.

17. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

19. Any inquiry concerning this communication should be directed to Steve Sax at telephone number (703) 305-9582.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steve Sax whose telephone number is (703) 305-9582. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703) 872-9306 Official Communication

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

